

### **REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-14 and 22-25 were pending in the application, of which Claims 1, 7, 9, 12, and 22 are independent. In the Office Action dated June 24, 2005, Claims 9-11 were rejected under 35 U.S.C. § 102(b) and Claims 1-8, 12-14, and 22-25 were allowed. Following this response, Claims 1-14 and 22-25 remain in this application. Applicants hereby address the Examiner's rejections in turn.

#### **I. Rejection of the Claims Under 35 U.S.C. § 102(b)**

In the Office Action dated June 24, 2005, the Examiner rejected Claim 9-11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,828,376 ("*Solimene*"). Applicants respectfully traverse this rejection. Claim 9 has been amended to place it in better form for consideration.

Claim 9 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "receiving an indication that the menu control has been selected" and "in response to the selection of the menu control, displaying a menu-like command bar including at least one interactive control." In contrast, *Solimene* at least does not disclose the aforementioned recitation. For example, *Solimene* discloses a conventional toolbar 20 comprising a number of control icons, wherein each control icon is associated with one of the menu items in the menubar 18. (See col. 5, lines 51-55.) A printer icon 32, for example, is associated with a "Print" menu item of a "File" menu category. (See col. 5, lines 55-56.) Toolbar 20's control icons allow a user to execute a

menu item immediately without having to plod through the pull-down menus of the menubar 18. (See col. 5, lines 56-59.) In *Solimene*, a menu-like command bar including at least one interactive control is not displayed in response to the selection of the menu control from a displayed toolbar-like command bar. Rather *Solimene* merely discloses toolbar control icons that allow a user to execute menu items without having to plod through pull-down menus. Furthermore, *Solimene* does not disclose interactive control.

In sum, *Solimene* does not anticipate the claimed invention because *Solimene* at least does not disclose “receiving an indication that the menu control has been selected” or “in response to the selection of the menu control, displaying a menu-like command bar including at least one interactive control”, as recited by Claim 9. Accordingly, independent Claim 9 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 9.

Dependent Claims 10 and 11 are also allowable at least for the reasons described above regarding independent Claim 9, and by virtue of their dependency upon independent Claim 9. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 10 and 11.

## II. Allowance of Claims

Applicants respectfully request that the Examiner pass Claims 1-8, 12-14, and 22-25 to issue.

### III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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